

DEC 16 2016

VERDICT FORM

JULIA Z. DUDLEY, CLERK  
BY: *[Signature]*  
DEPUTY CLERK

We, the Jury, unanimously find as follows:

1. Has Gasco proved by a preponderance of the evidence that Gasco and Consol had a meeting of the minds — mutual assent — such that the expired 2008 drilling contract was reinstated by the Addendum, with a distinct and common intent and understanding by both parties as to all of its material terms?

\_\_\_\_\_  
Yes

~~\_\_\_\_\_~~  
No

2. Has Gasco proved by a preponderance of the evidence that Todd Shumaker had the actual or apparent authority to bind Consol to a reinstatement of the expired 2008 drilling contract by virtue of the Addendum?

\_\_\_\_\_  
Yes

\_\_\_\_\_  
No

3. Has Gasco proved by a preponderance of the evidence that a one-year renewable term began on June 13, 2011 for the reinstated 2008 drilling contract?

\_\_\_\_\_  
Yes

\_\_\_\_\_  
No

*If your answer to any of the questions above is "No," then you do not need to answer any further questions. If your answer to all of the above questions is "Yes," answer the following question and proceed to the next page.*

4. What amount of damages did Gasco incur as a result of Consol's breach of the first year of the reinstated 2008 drilling contract?

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5. Has Gasco proved by a preponderance of the evidence that, prior to May 14, 2012, Consol did not give adequate notice terminating any renewal term for the reinstated 2008 drilling contract?

\_\_\_\_\_  
Yes

\_\_\_\_\_  
No

*If your answer to the question above is "No," then you do not need to answer any further questions. If your answer to the question above is "Yes," answer the following question.*

6. Has Consol proved by a preponderance of the evidence that Gasco breached the implied duty of good faith and fair dealing in its performance of the reinstated 2008 drilling contract prior to May 14, 2012?

\_\_\_\_\_  
Yes

\_\_\_\_\_  
No

*If your answer to the question above is "Yes," then you do not need to answer any further questions. If your answer to the question above is "No," answer the following question:*

7. What amount of damages did Gasco incur as a result of Consol's breach of the second year of the reinstated 2008 drilling contract?

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Charles F. Hamm

Foreperson